

## REMARKS

### Status of the Claims

The Office Action mailed April 8, 2009 noted that claims 1-41 were pending objected to claim 28, and rejected claims 1-27 and 29-41. Claims 1, 11, 12, 16, 22, 23, 25, 26, 28-30, 32, 34, and 36-41 are amended. No claims are cancelled. No new claims are added. No new matter is believed to be presented.

Claims 1-41 are pending and under consideration. Reconsideration is respectfully requested. The objections and rejections are traversed below.

### Rejection under 35 U.S.C. § 102

The Office Action, on page 4, in item 4, rejects claims 32-33 and 38-39 under 35 U.S.C. § 102(b) as being anticipated by Anderson et al. (US 5,828,360). This rejection is respectfully traversed below.

Claim 32 is amended to recite "an overflow control zone formed on a counter arc and intersecting the control zone at 90 degrees" which is not discussed by Anderson. The Office Action refers to 73 in Figure 7b, however, this single sub-option of Anderson does not discuss a counter arc intersecting the control zone at 90 degrees. The Examiner is respectfully requested to refer to 82 in Figure 8 and 120 in Figure 11A which depicts an overflow control zone formed on a counter arc and **intersecting the control zone at 90 degrees**. 73 is unrelated to an overflow control zone formed on a counter arc and intersecting the control zone at 90 degrees. The line or border of 73 intersecting 72 is not an arc, much less a counter arc, but rather a straight line. Rather the arc section of 73 ends where 72 begins as a sub-control of 72, is coincident on 72, meaning 73 and 72 share a boundary, and thus they intersect at 180 degrees. Thus, 73 is coincident with 72, and does not intersect at 90 degrees. Claim 32 patentably distinguishes over Anderson because claim 32 recites, among other distinguishing features: "an overflow control zone formed on a counter arc and intersecting the control zone at 90 degrees." Stated another way, the secondary control zone forms an arc shaped opposite from the control zone and intersects the control zone at 90 degrees.

Additionally, nothing cited or found in Anderson discusses "a control zone for a function of an interface and located **at least a distance equal to a typical wrist away from a nearest edge of the display**." Figure 3 of Anderson is silent regarding such a feature.

Claim 32 also recites "the control zone forming a command strip anchored at a base and

responsive to manipulation including twisting, bending, pulling, and shrinking and the control zone having elements each having a weight and behaving like real-world materials” which is not discussed by Anderson.

Claims 38 and 39 recite similarly to claim 32 and thus patentably distinguish over Anderson for the reasons above. Claim 33 depends upon claim 32 and thus patentably distinguishes over Anderson for the reasons above.

### **Rejection under 35 U.S.C. § 103**

The Office Action, on page 7, in item 7, rejects claims 1-23, 25, 29-31, 34-37, and 40-41 under 35 U.S.C. § 103(a) as being unpatentable over Anderson et al. in view of Miettinen et al. (US Patent Application Publication 2002/0054175). This rejection is respectfully traversed below.

Independent claim 1, for example, patentably distinguishes over Anderson and Miettinen, taken alone or in combination, because nothing cited or found teaches “an overflow control zone formed on a counter arc intersecting the arc shaped control zone at 90 degrees.” Additionally, nothing in Anderson and Miettinen teaches or suggests “an arc shaped control zone for a function of an interface located on the single side and at least a distance equal to a typical wrist away from a nearest edge of the display.”

Additionally, claim 1 recites “the control zone forming a command strip anchored at a base and responsive to manipulation including twisting, bending, pulling, and shrinking and the control zone having elements each having a weight and behaving like real-world materials.” Nothing cited or found in Anderson and Miettinen, taken alone and in combination, teaches the control zone forming a command strip responsive to manipulation as in claim 1.

The independent claims 11, 16, 22, 23, 25, 29, 30, 32, 34, 36, 37, and 40 are amended similarly to claim 1 and thus patentably distinguish over Anderson and Miettinen for the reasons discussed above and with respect to the deficiencies of Miettinen.

Claim 22 patentably distinguishes over Anderson and Miettinen, taken alone or in combination, because nothing cited or found teaches “controls aligned along a counter arc intersecting the motion arc at 90 degrees and where the controls are shaped responsive to the natural motion arc with natural variations.”

The dependent claims depend from the above-discussed independent claims and are patentable over the cited references for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the cited references. For example,

claim 12 recites “the function control and secondary control comprise plural controls and the controls are aligned along each arc.” Anderson does not teach a secondary control with plural controls aligned as an arc. As another example, claim 14 recites “the controls can be one of re-oriented and moved.” The Office Action on page 15 asserts that Anderson teaches this feature because Figures 5A and 5B show that the menu can be moved. However, it is to be noted that a control has “plural controls” recited in claim 14 and the controls are part of the control itself as recited in claim 12. Both Figures 5a and 5b do not show any of the icons in a different location and thus Anderson does not teach “the controls can be one of re-oriented and moved,” rather it just shows that the menu itself can be relocated to another part of the screen.

Additionally, nothing cited or found in Anderson and Miettinen, taken alone or in combination, teaches “the cursor is positioned on a touch screen display and the compound motion is performed on the touch screen” recited in claim 41.

The Office Action, on page 27, in item 8, rejects claims 26 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Anderson in view of Miettinen and further in view of Ono (US 5,559,944). Although the Office Action notes that claim 28 is rejected in item 8, it is also indicated as allowable subject matter, so the Applicant assumes that this is a typographical error. This rejection is respectfully traversed below.

Independent claim 26 is amended similarly to claim 1 and thus patentably distinguishes over Anderson, Miettinen, and Ono for the reasons discussed above and with respect to the deficiencies of Miettinen.

The Office Action, on page 29, in item 9, rejects claim 24 as being unpatentable over Anderson in view of Miettinen and further in view of Ono. This rejection is respectfully traversed below.

Claim 24 depends from independent claim 23 and inherits the patentable features of claim 23. Thus claim 24 patentably distinguishes over Anderson, Miettinen and Ono, taken alone or in combination.

### **Allowable Subject Matter**

The Office Action, on page 30, in item 10, objected to claim 28 as being dependent upon a rejected base claim, but noted that it would be allowable if rewritten in independent form. Claim 28 has been rewritten in independent form.

**Summary**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

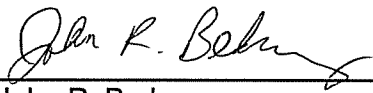
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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